

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America)

v.)

ZACHARY W. EASTERLY)

Case No. 22-M-

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)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 30, 2022 in the county of Philadelphia in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

18 U.S.C. 111(a)(1)

Offense Description

forcibly assaulting, resisting, opposing, impeding, intimidating, and interfering with an officer of the United States, while the officer was engaged in the performance of his official duties, and such acts involved physical contact with the officer

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet./s Ryan McAndrew*Complainant's signature*Ryan McAndrew, Federal Air Marshal*Printed name and title*

Sworn to before me and signed in my presence.

Date: 08/30/2022/s Carol S. Wells*Judge's signature*City and state: Philadelphia, PennsylvaniaHonorable Carol. S. Wells, U.S. Magistrate Judge*Printed name and title*

AFFIDAVIT IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT

I, Ryan McAndrew, being duly sworn under oath and deposed, state the following:

1. I have been a Federal Air Marshal since 2010. My duties include general law enforcement and security investigations as well as global, low visibility in-flight security operations. I have conducted my own investigations and worked on multiple other cases with other FBI agents and task force officers. Prior to my employment with the Federal Air Marshal Service, I worked for both the Bureau of Prisons and Lackawanna County District Attorney's Office.

2. This affidavit is being submitted in support of a criminal complaint and arrest warrant charging defendant Zachary W. Easterly, date of birth 10/11/1984, with a violation of Assault on a Federal Police Officer.

3. This affidavit is based upon my personal knowledge, experience and investigation, as well as information related to me directly or through reports of law enforcement officers in the course of their official duties. Throughout this affidavit, reference will be made to "agents," referring to those federal, state and local law enforcement officers who have directly participated in the investigation, and with whom I have had regular contact.

4. Because this affidavit is submitted for the limited purpose of obtaining a criminal complaint, I have not included all information known by me or other agents concerning this investigation. I have set forth only those facts I believe are essential to establish the necessary foundation for the criminal complaint. This affidavit does not exhaust my knowledge or that of other agents of the facts and circumstances surrounding

this investigation. Unless specifically indicated, all conversations and statements described in this affidavit are related in substance and in part. Where I assert that an event took place on a particular date or at a particular time, I am asserting that it took place on or about the date asserted or at approximately the time asserted. Similarly, where I assert that a certain number of people participated in an event, I am asserting that approximately that number of people participated in the event. In addition, where I assert that an event took place at a certain location, I am asserting that the even took place at approximately that location.

5. On August 30, 2022, I was on duty (“mission status”) in plainclothes at Philadelphia International Airport. As I was walking to my gate at approximately 4:00 p.m., I heard a loud disturbance in the B Concourse. When I turned the corner to the B Concourse, I could see and hear defendant Zachary W. Easterly screaming profanity and racial slurs at American Airline employees. I repeatedly and loudly identified myself as “Police” while visibly displaying my tactical law enforcement badge, which was on a lanyard around my neck. As I approached, defendant Easterly grabbed my throat and then pulled off the lanyard with my tactical law enforcement badge with his left hand. He then struck me in the head with his right hand. With the assistance of an American Airlines employee, I took Mr. Easterly to the ground. I placed handcuffs on him and contacted Philadelphia Police. I suffered bruises and scratches to my forehead, throat, and right elbow, all of which have been photographed.

6. I later learned that, due to his intoxication, defendant Easterly was removed from his scheduled flight, which was to depart from the B Concourse. I later obtained witness statements from several American Airlines employees.

7. According to American Airlines employee T.M., a flight attendant stated that a passenger had to be removed. T.M. stepped onto the aircraft at Gate B6 to ask the guest what the issue was. T.M. stated that the guest's words were slurred and he showed signs of intoxication. T.M. stated that he told the guest he would have to be removed and rebooked on the next flight. The guest asked why. T.M. explained that the crew was uncomfortable with his level of intoxication. The guest called T.M. a racial slur and another slur. When the Air Marshal arrived, the guest pushed him in the face. The Air Marshal and American Airlines employee C.C. took the guest down. The guest continued his verbal abuse of C.C. and T.M. until he was handcuffed. Based on my training and experience, as well as my investigation, I believe that when T.M. referenced "guest" in T.M.'s witness statement, T.M. was referring to defendant Easterly.

8. According to American Airlines employee C.C., a passenger was being aggressive while walking up the ramp from Gate B6. The passenger called C.C. ethnic and other slurs and threatened to kill C.C. and C.C.'s family. While C.C. walked with the passenger in B Concourse, a Federal Air Marshal arrived and asked the passenger to relax. The passenger grabbed the Federal Air Marshal by the chain with his badge on it, so C.C. helped subdue the passenger. Based on my training and experience, as well as my investigation, I believe that when C.C. referenced "passenger" in C.C.'s witness statement, C.C. was referring to defendant Easterly.

9. Based on the above, I believe probable cause exists that on August 30, 2022, in the Eastern District of Pennsylvania, defendant Zachary W. Easterly committed a violation of Assault on a Federal Officer, by way of attempting to grab my throat with his left hand and striking me in the head in violation of 18 U.S.C. § 111(a)(1) for forcibly

assaulting, resisting, opposing, impeding, intimidating, and interfering with an officer of the United States, while the officer was engaged in the performance of his official duties, and such acts involved physical contact with the officer.

/s/ Ryan McAndrew
Ryan McAndrew
Federal Air Marshal
Department of Homeland Security

Sworn to before me
this 30th day of August, 2022 at 9:30 p.m.

/s/ Carol S. Wells
HONORABLE CAROL S. WELLS
United States Magistrate Judge